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SUBJECT: 2008-2009 INCSR PART I -- VIETNAM

11. (U) The following is Embassy Hanoi's submission for the narcotics section of the 2008-2009 INCSR.

12. (U) Begin INCSR text:

Vietnam

#### II. Summary

The Government of Vietnam (GVN) continued to make progress in its counternarcotics efforts during 2008. Specific actions included: sustained efforts of counternarcotics law enforcement authorities to pursue drug traffickers; increased attention to interagency coordination; continued cooperation with the United Nations Office on Drugs and Crime (UNODC); increased attention to both drug treatment and harm reduction; continued public awareness activities; and additional bilateral cooperation on HIV/AIDS. The United States and Vietnam continued to implement training and assistance projects under the counternarcotics Letter of Agreement (LOA). Operational cooperation with the U.S. Drug Enforcement Administration's (DEA) Hanoi Country Office (HCO) has seen increased levels of improvement from prior years, but continued progress is still needed in order to meet international expectations. DEA and the GVN's Ministry of Public Security (MPS) maintain a memorandum of understanding intended to facilitate operational cooperation between the two agencies on transnational counternarcotics matters. Vietnam is a party to the 1988 UN Drug Convention.

The Government of Vietnam has not yet published official statistics for 2008 and independent research and verification of narcotics-related data is extremely limited. As such, some statistics are drawn from the state-controlled media and are indicated as such.

#### II. Status of Country

This year, press reports indicate an increase in the poppy cultivation areas, particularly in the provinces of Son La, Lao Cai, Yen Bai, Lai Chau, Lang Son, Gia Lai, Dac Lak, Hau Giang and Dong Nai. Official UNODC statistical tables no longer list Vietnam separately in drug production analyses. Cultivation in Vietnam probably accounts for only about one percent of the total cultivation in Southeast Asia, according to law enforcement estimates. There appear to be small amounts of cannabis grown in remote regions of southern Vietnam. In previous years, DEA has had no evidence of any Vietnamese-produced narcotics reaching the United States nor was Vietnam a source or transit country for precursors. However, recent intelligence information indicates that precursor chemicals and Ecstasy are beginning to be shipped from Vietnam into Canada for eventual distribution in the United States. Safrole (sassafras oil-From which Ecstasy can be produced) is no longer produced in Vietnam, but it continues to be imported into Vietnam for re-export to third countries. The potential for diversion of sassafras oil into clandestine MDMA production remains an area of concern for DEA.

In 2008, the GVN continued to view other Golden Triangle countries, primarily Burma and Laos, as the source for most of the heroin supplied to Vietnam. GVN authorities are particularly concerned

about rising ATS use among urban youth. During 2008, the GVN increased the pace of enforcement and awareness programs that they hope will avoid a youth synthetic drug epidemic. Resource constraints in all aspects of narcotics programs are pervasive, and GVN counternarcotics officials note that, as a developing country, Vietnam will continue to face resource constraints for the foreseeable future, despite annual budget increases for counternarcotics efforts. Drug laws remain very tough in Vietnam. For possession or trafficking of 600 grams (something more than one pound) or more of heroin, or 20 kg (44 pounds) of opium gum or cannabis resin, the death penalty is mandatory. Foreign law enforcement sources do not believe that major trafficking groups have moved into Vietnam. Relatively small groups comprised of from five to 15 individuals (who are often related to each other) usually do most narcotics trafficking.

### III. Country Actions Against Drugs in 2008

#### Policy Initiatives

The structure of the GVN's counternarcotics efforts is built around the National Committee on AIDS, Drugs and Prostitution Control (NCADP), which includes 18 GVN ministries and people's organizations as members. In addition, MPS, as NCADP's standing member, has a specialized unit to combat and suppress drug crimes. During 2008, many provinces and cities continued to implement their own drug awareness and prevention programs, as well as demand reduction and drug treatment. The GVN continues to view drug awareness and prevention as vital tools and significant objectives in its fight against drugs, as well as integral parts of its effort to comply fully with the 1988 UN Drug Convention.

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The GVN has continued to rely heavily on counternarcotics propaganda, culminating in the annual drug awareness month in June 2008. Officially sponsored activities cover every aspect of society, from schools to unions to civic organizations and government offices. The GVN's well-publicized campaign - initiated in late 2005 and directed against nightclubs and karaoke bars in Ho Chi Minh City, Hanoi and other urban centers at which patrons were suspected of using MDMA and other "party drugs" - has carried over into 2008. The MPS also works with relevant agencies to outline a national strategy on drug abuse control from now to 2020. The strategy is slated to intensify the crackdown on drug trafficking. Alongside this strategy, the MPS also took part in revising and supplementing the Law on Anti-Drug Abuse and launched a project to collect and process illicit drug-related information. In 2008, the GVN continued its ongoing effort to de-stigmatize drug addicts in order to increase their odds of successful treatment, and to help control the spread of HIV/AIDS.

#### Law Enforcement Efforts

According press reporting, there were 12,850 drug cases involving 20,268 suspects in 2008. Out of that number, there were 61 cases involving 127 foreigners. Total seizures include 156 kg of heroin, 19 kg of opium, 8,657 kg of cannabis, 44,054 ATS tablets, and 13,543 tablets and 1,188 ampoules of addictive pharmaceuticals. The numbers of cases and traffickers during 2008 represent an increase of 3,900 cases (43.6 percent) and 6,700 suspects (49.4 percent) percent compared with 2007.

Foreign law enforcement representatives in Vietnam acknowledge that operational cooperation on counternarcotics cases is limited largely due to legal prohibitions and policy restrictions that preclude Vietnam's drug enforcement authorities from sharing information and supporting bilateral investigations with foreign police agencies. Changes in Vietnamese law to allow the establishment of a legal and procedural basis for Vietnam's cooperation with foreign law enforcement agencies are necessary to reach international standards, rather than the current situation where operational "cooperation" is determined on a case-by-case basis. USG law enforcement agencies noted that the development of agency-to-agency agreements have improved the cooperation climate. During 2008, cooperation levels between GVN law enforcement authorities and DEA's HCO continued to

improve. DEA agents have experienced a few incidents where they have been officially permitted to work directly with GVN counternarcotics officials. While cooperation was limited to receiving information and investigative requests from DEA, the GNV counternarcotics department was more interactive and demonstrated more progressive thinking in response to DEA requests. Thus far, counternarcotics police have not shared detailed investigative information with DEA, providing only the investigative basics. During 2007, DEA received operational cooperation on a money-laundering investigation in which MPS assisted in the receipt of alleged drug money that was remitted to Vietnam through a money laundering organization in the United States, and in 2008 were granted approval to conduct an additional investigation. However, despite requests made by DEA, MPS provided little investigation information on the organizations or businesses that facilitated the illegal money remittance in Vietnam.

#### Corruption

As a matter of GVN policy, Vietnam does not encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. No information specifically links any senior GVN official with engaging in, encouraging or facilitating the illicit production or distribution of drugs or substances, or the laundering of proceeds from illegal drug transactions. Nonetheless, a certain level of corruption, both among lower-level enforcement personnel and higher-level officials, is consonant with fairly large-scale movement of narcotics into and out of Vietnam. The GVN demonstrated willingness to prosecute officials, although the targets were relatively low-level.

#### Agreements/Treaties

Vietnam is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention as amended by the 1972 Protocol and the 1971 UN Convention on Psychotropic Substances. Vietnam has signed, but has not yet ratified, the UN Corruption Convention and the UN Convention against Transnational Organized Crime.

#### Cultivation/Production

No specific data for 2008 is available on re-plantation or cultivation; however, estimates suggest that opium poppy cultivation remains sharply reduced from an estimated 12,900 ha in 1993, when the GVN began opium poppy eradication. There have been recent confirmed reports that ATS and heroin have been produced in Vietnam. Local ATS production relies on ATS powder brought from outside the country, which is then processed into pills. GVN law enforcement

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forces have seized some ATS-related equipment (i.e., pill presses). As part of its efforts to comply fully with the 1988 UN Drug Convention, the GVN continued to eradicate poppies when found and to implement crop substitution. There were, however, some reports of trafficking in heroin among hill tribes along the border with Laos.

#### Drug Flow/Transit

Law enforcement sources and the UNODC believe that significant amounts of drugs are transiting Vietnam. Generally, drugs, especially heroin and opium, enter Vietnam from the Golden Triangle via Laos and Cambodia by land, sea and air, making their way to Hanoi or Ho Chi Minh City, either for local consumption or transshipment to other countries such as Australia, Japan, China, Taiwan and Malaysia. The ATS flow into the country during 2008 continued to be serious and not limited to border areas. ATS can now be found throughout the country, especially in places frequented by young people. ATS, such as amphetamine, Ecstasy, and especially "ice" methamphetamine (crystal methamphetamine), and other drugs such as diazepam and Ketamine continue to worry the government. Such drugs are most popular in Hanoi, Ho Chi Minh City and other major cities. During 2008, numerous cases involving ATS trafficking and consumption were reported in the media, including mass arrests following raids on popular nightclubs. DEA has received recent information on Vietnam based organization beginning to ship Ecstasy

from Vietnam into Canada for the eventual distribution in the United States.

#### Domestic Programs/Demand Reduction

According to press reports, by the end of November 2008, there were 180,712 officially registered drug users nationwide, an increase of 13,881 addicts over last year. Included in that figure are 120,445 addicts living in the community, and 31,446 and 28,821 other addicts living, respectively, in MPS (Ministry of Public Security) prisons and MOLISA (Ministry of Labor, War Invalids and Social Affairs) treatment centers. Vietnam has 87 provincial-level treatment centers providing treatment to about 58,000 drug addicts annually, a six-fold increase compared with 2001. The number of "unofficial" (i.e., not acknowledged officially) drug users is at least 1.5 times higher. Ministries distributed hundreds of thousands of counternarcotics leaflets and videos, and organized counternarcotics painting contests for children. The Ministry of Education and Training (MOET) carries out awareness activities in schools. Counternarcotics material is available in all schools and MOET sponsors various workshops and campaigns at all school levels.

The UNODC assesses GVN drug awareness efforts favorably, but considers these efforts to have had minimal impact on the existing addict and HIV/AIDS population. Vietnam strives to integrate addiction treatment and vocational training to facilitate the rehabilitation of drug addicts. These efforts include tax and other economic incentives for businesses that hire recovered addicts. Despite these efforts, only a small percentage of recovered addicts find regular employment.

HIV/AIDS is a serious and growing problem in Vietnam and addressing the HIV prevention needs of injecting drug users (IDU) remains the foremost priority in Vietnam's efforts to combat HIV/AIDS. UNAIDS reports a total of 132,000 HIV cases in the country, a figure considered accurate by both the GVN and the USG. More than 60 percent of known HIV cases are IDUs, with many additional infections resulting from transmission to the sexual partners and children of these individuals. The Vietnamese National Strategy for HIV Prevention and Control, launched in March 2004, presents a comprehensive response to HIV, including condom promotion, clean needle and syringe programs, voluntary counseling and testing and HIV/AIDS treatment and care.

In June 2004, Vietnam was designated the 15th focus country under the President's Emergency Plan for AIDS Relief (PEPFAR). USG FY08 funding, \$88.5million, is distributed through key PEPFAR agencies such as USAID, HHS/CDC, and the U.S. Department of Defense. The majority of USG support targets seven current focus provinces (Hanoi, Hai Phong, Quang Ninh, Ho Chi Minh City, Can Tho, An Giang and Nghe An) where the epidemic is most severe; however, PEPFAR also supports HIV counseling and testing and community outreach for drug users and sex workers in 30 provinces. The Methadone Maintenance Therapy (MMT) program for IDU is currently operational in three sites in HCMC and three sites in Hai Phong, with plans to expand the program to Hanoi in the near future.

The concentration of HIV infection in IDU populations in Vietnam has spurred the PEPFAR program to focus HIV prevention, care, and treatment efforts in these key urban settings and along drug transport corridors to prevent the continued spread of HIV. Even in focused settings, stigma and discrimination against IDU in Vietnam - exacerbated by historical campaigns characterizing drug use as a "social evil" - have made it difficult to obtain accurate IDU population size estimates and to expand access to needed services. The GVN has officially "registered" more than 180,000 IDU

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nationally, but the actual size of this population is estimated to be many times higher. In addition, using even the most conservative estimates of population size, coverage of basic prevention services remains low. For example, PEPFAR-supported outreach efforts only provided education to a maximum of 4 percent of the estimated number of IDU in Hanoi, and a maximum of 40 percent of the estimated number of registered IDU in Ho Chi Minh City. The successful referral of these individuals to HIV counseling and testing and other care and

treatment services also remains an essential priority given the burden of HIV infection among IDU, but continues to be a challenge. According to the latest PEPFAR program reports, a maximum of 5 percent of the number of IDU in Hanoi, and a maximum of 13 percent of the number of IDU in Ho Chi Minh City, have received HIV counseling and testing.

#### IV. U.S. Policy Initiatives and Programs

##### Policy Initiatives

Under the Vietnam-U.S. Counternarcotics Assistance LOA, U.S. Customs and Border Protection delivered contraband enforcement training to GVN customs, border guards, and maritime administration officials. This training included three field visits for GVN officials to U.S. ports to observe best practices and three in-country training courses held in major port cities. During July and August, DEA and JIATF-W sponsored two-week Officer Tactics and Safety training seminars for MPS and Border Army officials in Hanoi and HCMC, and a three-week Small Craft Maintenance and Training Seminar for MPS in HCMC. The USG also provided port security and vulnerability assessment and container inspection training to Vietnam. The USG also contributed to counternarcotics efforts in Vietnam through the UNODC.

##### The Road Ahead

The GVN is acutely aware of the threat of drugs and Vietnam's increasing domestic drug problem. However, there is a guarded approach to foreign law enforcement assistance and/or intervention in the counternarcotics arena. During 2008, as in previous years, the GVN made progress with ongoing and new initiatives aimed at the law enforcement and social problems that stem from the illegal drug trade. The GVN continued to show a willingness to take unilateral action against drugs and drug trafficking, and began to reach out for assistance from foreign law enforcement organizations. Vietnam still faces many internal problems that make fighting drugs a challenge. USG-GVN operational cooperation is on the rise. However, such cooperation will remain limited until the development of a legal framework to allow some manner of involvement of foreign law enforcement officers in law enforcement investigations on Vietnamese soil, or the signing of a bilateral agreement between the United States and Vietnam to create a mechanism for the joint investigation and development of drug cases. The November 2006 Memorandum of Understanding between DEA and the GVN's Ministry of Public Security (MPS) was a first step in this direction, but this non-binding agreement directly addresses law enforcement cooperation on a case-by-case basis and only at the central government level.

End text.

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